



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

*This meeting will be televised live on Channel 6;  
repeated on 1/20/06 at 8 pm and 1/21/06 at 9 am*

**Tuesday, January 17, 2006**

9:30 **INVOCATION** - Reverend Carolyn Roberts, United Church of Christ Seneca Valley

9:35 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)  
B. **Action** - Approval of Minutes: December 6, 2005 (Lauer)  
C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:40 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve Development Impact Tax Memorandum of Understanding with City of Rockville (Orlin)  
*T&E Committee worksession tentatively scheduled for 1/19/06.*
- B. **Introduction** - Supplemental appropriation to the County Government's FY06 Operating Budget, Montgomery County Fire and Rescue Service - \$1,277,500 for Local Fire and Rescue Departments, FY05 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State grant) (Davidson)  
*Public Hearing is scheduled for 1/31/06 at 1:30 pm.*
- D. **Introduction** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Looking Glass Networks, Inc. (Healy)  
*Public Hearing is scheduled for 2/7/06 at 1:30 pm.*
- E. **Introduction** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: NextG Networks Atlantis, Inc. (Healy)  
*Public Hearing is scheduled for 2/7/06 at 1:30 pm.*
- F. **Introduction** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Fiberlight, LLC. (Healy)  
*Public Hearing is scheduled for 2/7/06 at 1:30 pm.*
- G. **Introduction** - Resolution to support state financing for Oakfield Apartments, Phase II in Wheaton (McMillan)  
*Action is tentatively scheduled for 1/24/06.*

(2) 9:40 **CONSENT CALENDAR** *(continued)*

H. **Action** - Resolution to amend Resolution #15-1025 to increase PAYGO by \$10 million in FY06 (Orlin)  
*MFP Committee recommends approval.*

I. **Action** - Resolution to support state financing for Covenant Village Apartments in Germantown (McMillan)

J. **Action** - Confirmation of County Executive appointments to the Silver Spring Recreation Advisory: Robin N. Bradshaw, Stephen D. Earll (Ferber)

K. **Action** - Confirmation of County Executive appointments to the Noise Control Advisory Board: Paul Arveson, Rudy Volin (Ferber)

L. **Action** - Confirmation of County Executive appointment to the Housing Opportunities Commission: Norman Cohen (Ferber)

(3) 9:45 **DISCUSSION** - Royce Hanson, Special Adviser on the Development Approval and Implementation Process (Michaelson)

(3.1) 11:00 **DISCUSSION** of the following: (Faden)  
• Legal and related expenses incurred by the Clarksburg Town Center Advisory Committee (CTCAC) concerning the Clarksburg Town Center Project  
• Costs of the Clarksburg Town Center mediation process

12:00 **DISTRICT COUNCIL SESSION**

(4) A. **Action** - Zoning Text Amendment 5-14, Sign Ordinance - Limited Duration Signs (Wilson/Healy)  
*PHED Committee recommends disapproval.*

12:15 **RECESS**

(9) 1:30 **PUBLIC HEARING** - Franchise Agreement for Use of Public Right of Way: MD-CLEC LLC (Healy)  
*MFP Committee worksession tentatively scheduled for 1/23/06.*

(10) 1:30 **PUBLIC HEARING** - **Bill 41-05**, Health Services - Advisory Board for Montgomery Cares Program - Establishment (Boucher/Planell)  
*HHS Committee worksession tentatively scheduled for 1/23/06.*

(11) 1:30 **PUBLIC HEARING** - **Expedited Bill 42-05**, Minority Owned Business Purchasing Program - Extension (Healy)  
*MFP Committee worksession tentatively scheduled for 1/23/06.*

(12) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 05-21, Corporate Training Center - C-P Zone (Wilson)  
*PHED Committee worksession tentatively scheduled for 1/26/06.*

- (13) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Montgomery College's FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$1,100,000 for King Street Art Center (Source: Major Facilities Capital Projects Fund) (Sherer)  
*ED Committee worksession tentatively scheduled for 1/26/06.*
- (14) 1:30 **PUBLIC HEARING** - Special appropriation to the County Government's FY06 Operating Budget, Montgomery County Fire and Rescue Service - \$1,940,260 for Interim Fire Station in Clarksburg (Source: Consolidated Fire Tax District) (Davidson)  
*PS Committee worksession tentatively scheduled for 1/26/06.*
- (15) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY06 Operating Budget, Montgomery County Homeland Security Department - \$400,000 for Homeland Security grant award (Source: Federal grant) (Davidson)  
*HSC Committee worksession tentatively scheduled for 1/30/06.*
- (16) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY06 Operating Budget for Homeland Security grant awards: Department of Police - \$298,550; Montgomery County Fire and Rescue Services - \$294,330; and Montgomery County Homeland Security Department - \$5,670 (Source: Federal grant) (Davidson)  
*HSC Committee worksession tentatively scheduled for 1/30/06.*
- (17) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY06 Operating Budget - \$600,000 for Field Trip Fund (Source: Charges for Service) (Planell)
- (18) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Health and Human Services - \$264,600 for Crossroads Youth Community Opportunity Center (Source: Federal grant) (Planell)  
*HHS Committee recommendation will be available 1/23/06.*
- (19) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Police - \$1,000,000 for Homeland Security grant award (Source: Federal grant) McMillan  
*HSC Committee worksession tentatively scheduled for 1/30/06.*
- 1:30 **PUBLIC HEARING/ACTION** on the following special appropriations and amendments (Source: Program Open Space): (Michaelson)
- (20) • Special appropriation to M-NCPPC's FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program (CIP) - \$400,000 for Acquisition: Local Parks
- (21) • Special appropriation to County Government's FY06 Capital Budget - \$1,921,000 for Acquisition: Non-Local Parks
- (22) • Amendment to M-NCPPC's FY05-10 Capital Improvements Program (CIP) - \$1,921,000 for Acquisition: Non-Local Parks
- (23) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY06 Operating Budget, Non-Departmental Account - \$8,000,000 for Future/Federal/State/Other Grants (Source: Federal, state, or other grants) (Sherer)

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- (24) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY06 Operating Budget - \$10,550,000 for Provision for Future Supported Projects (Source: Federal and state grants) (Planell)

2:00 **DISTRICT COUNCIL SESSION** *(continued)*

- (5) B. **Action** - Shady Grove Sector Plan (Michaelson)
- (6) C. **Action** - Zoning Text Amendment 05-02, Transit Oriented, Mixed Use Zone (Michaelson)
- (7) D. **Action** - Zoning Text Amendment 05-09, Wholesale Trade Uses - I-3 Zone (Wilson/Healy)
- (8) E. **Action** - Zoning Text Amendment 05-06, Building Materials and Supplies - R&D Zone (Wilson/Healy)

5:00 **ADJOURN**

- (25) 7:00 **PUBLIC HEARINGS** on the following items related to the County's Development Approval and Implementation Process:
- ZTA 05-19, Site Plan Enforcement (Wilson)
  - ZTA 05-17, Site Plan Enforcement (Wilson)
  - SRA 05-04, Site Plan Enforcement (Wilson)
  - **Bill 35-05**, Permitting Services - Site Plan Enforcement (Faden)
  - SRA 05-06, Subdivision and Site Plans - Coordination with other agencies (Faden)
  - ZTA 05-20, Site Plans - Approval, Amendment, and Enforcement (Faden)
  - SRA 05-05, Planning Board Actions - Enforcement (Faden)
  - ZTA 05-18, Planning Board Public Hearings - Hearing Examiner (Wilson)
- PHED Committee worksession tentatively scheduled for 1/30/06.*

**Thursday, January 19, 2006**

- 7:00 **PUBLIC HEARING** - ZTA 05-23, TDR Easement - Nonresidential Uses (Healy/Wilson)  
*T&E Committee worksession tentatively scheduled for 3/16/06.*
- 7:30 **PUBLIC HEARING by T&E Committee** - Resolution to amend the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: Multi-Use On-Site Systems(Levchenko)  
*T&E Committee worksession tentatively scheduled for 2/2/06.*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on January 24, 2006:**

County's Labor Relations Administrator, Fire and Rescue Collective Bargaining Unit: Andrew M. Strongin  
County's Labor Relations Administrator, Municipal and County Government Employees Organization: Andrew M. Strongin  
Chairperson, Disability Arbitration Board: Mollie H. Bowers

### **FUTURE COUNCIL MEETINGS**

**County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.**

**Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.**

<b>Jan 23, 2006</b>	12:30 pm	State Legislation
<b>Jan 24, 2006</b>	8:00 am	Cardinal McCarrick - St. Mary's Catholic Church, Rockville
<b>Jan 24, 2006</b>	9:30 am	Regular Session
<b>Jan 30, 2006</b>	12:30 pm	State Legislation
<b>Jan 31, 2006</b>	9:30 am	Regular Session
<b>Feb 6, 2006</b>	12:30 pm	State Legislation
<b>Feb 7, 2006</b>	9:30 am	Regular Session
<b>Feb 13, 2006</b>	12:30 pm	State Legislation
<b>Feb 14, 2006</b>	9:30 am	Regular Session
<b>Feb 20, 2006</b>		HOLIDAY
<b>Feb 21-24, 2006</b>		RECESS
<b>Feb 27, 2006</b>	12:30 pm	State Legislation
<b>Feb 28, 2006</b>	9:30 am	Regular Session

### **FUTURE PUBLIC HEARINGS**

**To testify call 240-777-7931**

#### **January 24, 2006**

1:30 pm ZTA 05-22, Transit Station Zones - Central Business District  
1:30 pm **Bill 43-05**, Weapons - Restrictions - Deer Management  
1:30 pm **Bill 44-05**, Motor Vehicles - Parking Violations  
7:30 pm Damascus Master Plan

#### **January 31, 2006**

1:30 pm Supplemental appropriation to the County Government's FY06 Operating Budget, MCFRS - \$1,277,500 for Local Fire and Rescue Departments, FY05 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant

#### **February 7, 2006**

1:30 pm Special appropriation to MC's FY06 Capital Budget and amendment to FY05-10 CIP - \$100,000 for facility planning - CESC  
1:30 pm Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Looking Glass Networks, Inc.  
1:30 pm Resolution to approve Franchise Agreement for Use of Public Right-of-Way: NextG Networks Atlantis, Inc.  
1:30 pm Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Fiberlight, LLC.  
7:00 pm FY07 Capital Budget and FY07-12 CIP

#### **February 8, 2006**

7:00 pm FY07 Capital Budget and FY07-12 CIP - MCPS

#### **February 9, 2006**

7:00 pm FY07 Capital Budget and FY07-12 CIP



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### **ADDENDUM**

**Tuesday, January 17, 2006**

Add: (8.1) **INTRODUCTION** - Special appropriation to the County Government's FY06 Operating Budget, NDA Community Grants - \$300,000 to reimburse expenses of the Clarksburg Town Center Advisory Committee, Inc. (Source: General fund reserves) (Faden)  
*A Public Hearing will be scheduled at a later date.*